

REMARKS

This Amendment is being filed in response to, and within three (3) months of, the Office Action mailed June 30, 2006. Applicant has herein amended Claims 1, 2, 7, and 13 and added new Claims 18 and 19. Accordingly, Claims 1-19 are pending.

CLAIM REJECTIONS – CLAIMS 1-17 – 35 U.S.C. 112

Claims 1-17 were rejected under 35 U.S.C. 112, first paragraph, on the grounds of failing to comply with the enablement requirement. The Examiner inquires as to the difference on the cut made by the conventional technique and the cut of the instant application.

Applicant respectfully submits that the specification does address this issue and complies with the enablement requirement, and that all that is required is a clarification of the enablement as follows.

Figures 3-7 of the subject application illustrate a prior art method of removing flaws from manufactured wood products. In Figure 4, for example, imperfections 12 are cut out from the wood blocks 18, 20.

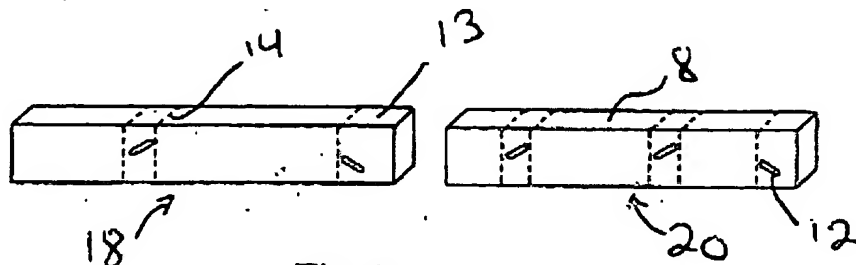


Fig. 4
(Prior Art)

With the imperfections removed, the remaining sections 8 and 24 shown in Figure 5 can be rejoined, such as by finger joining, to form a new block 30 shown in Figure 6.

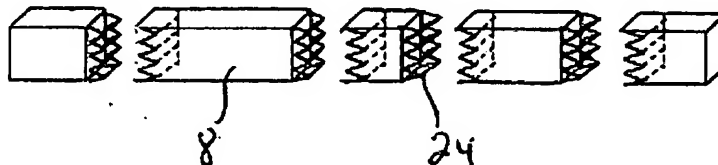


Fig. 5
(Prior Art)

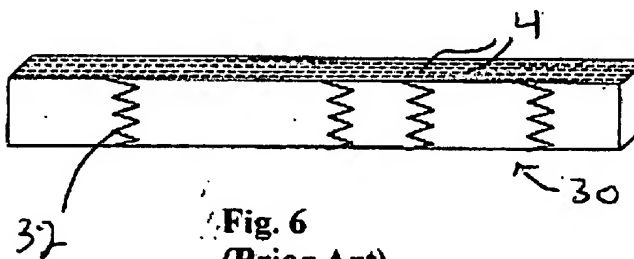


Fig. 6
(Prior Art)

In Figure 6, the new block 30 can then be cut (shown vertically in Figure 6) to form separate pieces 34 as shown in Figure 7. Applicant is not claiming this conventional cut as shown in Figures 1-7.

In Figure 7, the problem with the conventional cut is the appearance of the joint markings 32 that resulted when the block sections of Figure 5 were rejoined to form the new block.

Applicant's claimed invention is directed to novel products and processes that take place beyond the conventional technique shown in Figures 1-7. As a result, not only are the joint markings hidden from view, but the resulting appearance resembles wood grain so to provide a highly aesthetic and desirable end product.

As an example and not by way of limitation, Figures 8-10 illustrate a preferred embodiment. In Figure 8, a first series of cuts (shown here vertically) are made to a wood block to form the first, manufactured slats 34 that are individually separate. As shown in Figure 8, these first, manufactured slats 34 may contain the joint markings 32.

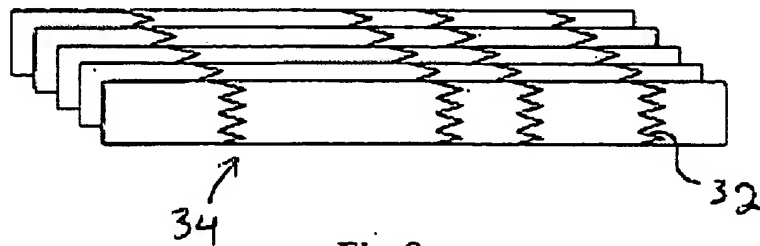


Fig. 8

In Figure 9, these first, manufactured slats 34 are rejoined to form a new block 40. Notice that the first series cuts is made along the X-Y plane as shown in Figure 9 (shown here vertically). As a result, the new block contains longitudinal lines, or periphery edges, 45 that extend from one end of the new block to the opposite end. From a top view of the block 40 in Figure 9, the lines 45 are disposed in a side by side arrangement. The periphery edges 45 result from joining the separate first slats 34.

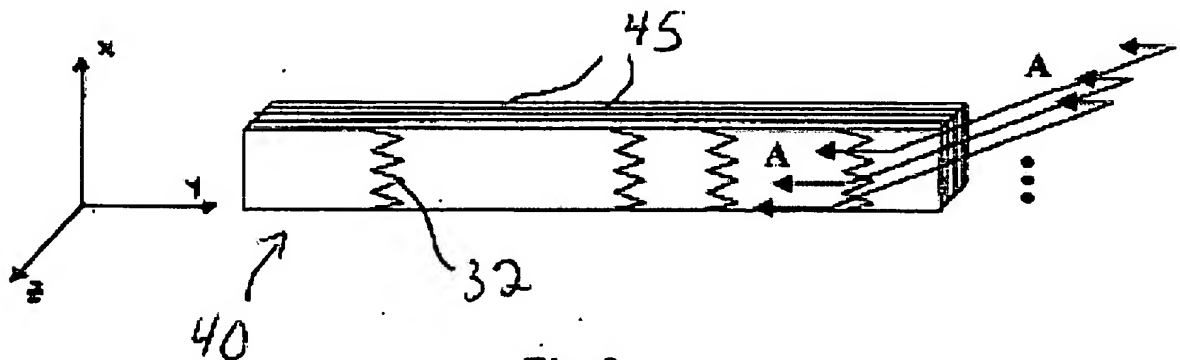
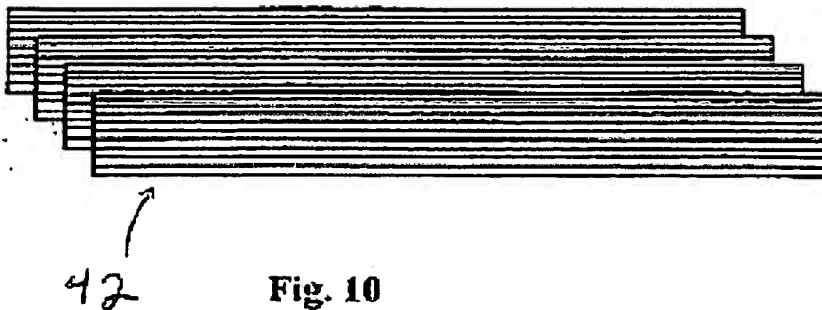


Fig. 9

In Figure 10, the new block is then sliced, or cut, along planes perpendicular to the first series of cuts, i.e., horizontally with reference to Figure 9. Thus, in Figure 10, the second set of slices is taken along the Y-Z plane in Figure 9. The end result in Figure 10 are finished slat products 42, each having a plurality of longitudinal lines that are disposed side by side and extend the full length of each slat. It will be appreciated that these longitudinal lines which now resemble a wood grain in the finished slat product 42 resulted from the dividing lines 45 in Figure 9 when the first, manufactured slats were rejoined to form the new block 40.



In other words, a first series of cuts are made along a first planar direction (e.g., vertically) to form a first series of separate slats. Those separate slats are rejoined to form a new block with periphery edges or longitudinal lines that result from joining the first slates. The new block is then sliced along a second planar direction that is perpendicular to the first planar direction as to form final slat products, each exposing a plurality of the longitudinal lines in a side by side manner throughout the length of the final slat, thereby resembling a wood grain.

To answer the Examiner's question, the prior art does not teach the above-described process of forming a first series of individual slats with cuts along a first

planar direction, rejoining those the first series of slats to form longitudinal lines, and then forming a second series of final slats with cuts along a second, perpendicular direction, thereby exposing the longitudinal lines in a side by side manner throughout the length of each final slat.

Regarding Claim 13, the separate wood pieces may be rejoined by, for example, lamination, adhesives, etc. (See paragraph 0037 of the Detailed Description of Preferred Embodiments).

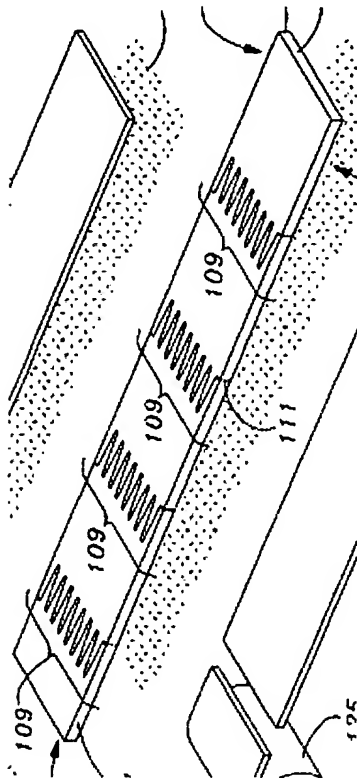
CLAIM REJECTIONS – CLAIMS 1-8, 10-13 and 15-17 – 35 USC § 102(b)

Claims 1-8 and 27-35 were rejected under 35 USC 102(b) as being anticipated by Lee (US 6,763,873).

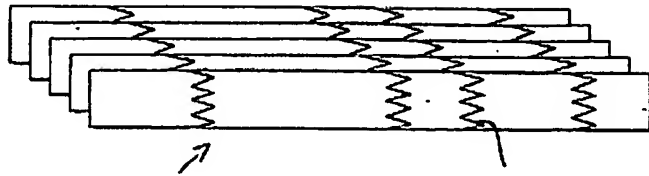
In Figures 2 and 3, Lee discloses forming “protrusions” 65 in a first block 55 and corresponding “depressions” 63 in a second block 57, shown here as a common “finger joint.” The protrusions and depressions may be formed with the machine illustrated in Figure 1 of Lee. In Figure 3, the two blocks are joined at 109 and then cut along a first plane to form slats 91. As shown in Figure 4, these slats contain the joint markings 109 that are associated as drawbacks in the prior art.

In fact, Figures 2-4 of Lee are strikingly similar to the prior art Figures 5-7 of the instant application. Lee does nothing more than join two blocks, and then cut the joined block into a first series of slats. Figure 4 of Lee shows the same undesirable zig-zag pattern as illustrated in the prior art Figure 7 of the instant application.

Lee, Figure 4



Applicant, Figure 7



What Lee does not teach is joining the first series of slats together to form a second block, and then cutting this second block along a perpendicular plane to expose a plurality of the dividing lines, or periphery edges, so as to resemble a wood grain. Accordingly, Lee teaches painting the surface or applying pattern paper 121 as shown in Figure 4 in order to achieve a faux wood aesthetic.

Applicant has herein amended the independent claims to recite multiple, first manufactured slats that are initially formed separate from each other (e.g., see Figure 8 as an example and not as limitation). Applicant has amended Claims 1, 2 and 7 to recite these first, manufactured slats being separate from each other and then rejoined.

Applicant has also amended the independent claims to recite that the rejoined slats form a new block with lines between the adjacent pairs of slats joined. The independent claims also recite that a second series of cuts are made along a perpendicular plane to the first series of cuts to as to form the final slat. All of the independent recite, in one form or another, that the final slat includes side by side lines or a wood grain that extends the length of the final slat.

Lee does not disclose taking separately formed slats cut along a first direction, rejoining them together to form a new block, and then cutting the new block in a perpendicular direction to expose side by side lines that extend through the length of the final slat. As shown in Figure 4, Lee needs to apply paint or a decorative liner 125 in order to conceal the unaesthetic zig-zag lines 109.

CLAIM REJECTIONS – CLAIMS 9 and 14 – 35 USC § 103(a)

Claims 9 and 14 were rejected under 35 USC § 103(a) as being unpatentable over Lee (US 6,763,873). The Office Action states that Lee discloses the basic claimed wood slat except for explicitly detailing the use of markings.

As discussed above, however, Lee fails to disclose the processes and structures as recited in independent Claims 1, 2, 7 and 13.

Accordingly, Applicant respectfully submits that the independent claims are allowable over Lee. Applicant further submits that the dependent claims are allowable for the additional features recited therein.

Applicant encourages the Examiner to telephone the undersigned attorney if it appears that a telephone conference would facilitate allowance of the application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 20, 2006

by Sarah A. Nielsen


Signature

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